Summons in a Civil Action (Rev 11/97)

United States District Court

FILED

2007 DEC 27 PM 3:51

SOUTHERN DISTRICT OF CALIFORNIA

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

RODNEY M. TOOTHACRE

vs

The UNITED STATES of AMERICA and The INTERNAL Revenue Service

SUMMONS IN A CIVIL ACTION

Case No.

'07 CV 2289 DMS (WMC)

TO: (Name and Address of Defendant)

INTERNAL REVENUE SERVICE
880 Front Street
San Diego, California 92101

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

Rod M. Toothacre, In Pro Se
13742 INDIAN PEAK TRAIL
POWAY, CALIFORNIA 92064
(858) 513-0017

An answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.

CLERK

DEC 27 2007

DATE

By , Deputy Clerk

Summons in a Civil Action

::ODMA\PCDOCS\WORDPERFECT\14443\1 May 5, 1999 (11:34am)

RETURN OF SERVICE

Service of the Summons and Complaint was made by me	DATE December 19, 2007
NAME OF SERVER DEBRA L. BARKER	TITLE

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served:

Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left:

Return unexecuted:

Other (specify): Served by Certified Mail #7005 1820 0000 5104 5033 on:
INTERNAL REVENUE SERVICE
880 Front Street
San Diego, California 92101

STATEMENT OF SERVICE FEES

TRAVEL		SERVICES	TOTAL $0.00	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: Dec 19, 2007
Date

Debra L Barker
Signature of Server

PO Box 500347, San Diego, CA 92150-0347
Address of Server

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.

JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure